

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CRAIG CUNNINGHAM,

Plaintiff,

v.

ADVANTA CORP., et al.

Defendants.

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Civil No. 3:08-CV-1794-K (BH)

ORDER


After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and are adopted as the Findings and Conclusions of the Court.

It is therefore ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are adopted. Accordingly, *Plaintiff's Motion to Remand*, filed November 5, 2008, is DENIED. *Defendant's Motion for Summary Judgment and Motion to Dismiss*, filed October 22, 2008, is GRANTED. Plaintiff's claims arising under the Telephone Consumer Protection Act, the Fair Debt Collection Practices Act, the Texas Finance Code, and the Texas Deceptive Trade Practices Act against

Defendants Advanta Corp., Dennis Alter, John Moore, Phillip Browne, David Weinstock, and William Rosoff are **DISMISSED** with prejudice. This case is returned to U.S. Magistrate Judge Irma C. Ramirez for further pretrial management.

SO ORDERED

SIGNED: February 3rd, 2009.

A handwritten signature in cursive script, reading "Ed Kinkeade", written in black ink. The signature is positioned above a horizontal line.

ED KINKEADE

UNITED STATES DISTRICT JUDGE